

RECEIVED  
CENTRAL FAX CENTERApplication No. 10/650,058  
PETITION

Customer No. 01933

JAN 30 2006

Attorney Docket No. 03505/LHCERTIFICATE OF FACSIMILE  
TRANSMISSION**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

TO NO. 1-571-273-8300

TOTAL PAGES: 9

Applicant(s): Susumu MATSUI et al

I hereby certify that  
this paper is being  
facsimile transmitted to  
the Commissioner for  
Patents on the date noted  
below.

Serial No. : 10/650,058

Filed : August 27, 2003

For : OPTICAL DEFLECTION DEVICE  
AND OPTICAL SCANNING  
APPARATUS EQUIPPED THEREWITH  
Nalini P. SahadeoDated: January 30, 2006

Art Unit : 2872

Examiner : Euncha P. Cherry

In the event that this  
Paper is late filed, and  
the necessary petition  
for extension of time is  
not filed concurrently  
herewith, please consider  
this as a Petition for  
the requisite extension  
of time, and to the  
extent not tendered by  
form PTO-2038 attached  
hereto, authorization to  
charge the extension fee  
to Account No. 06-1378.**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
UNDER 37 CFR 1.181, NO FEE REQUIRED**Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450S I R : **MAIL STOP ISSUE FEE**

It is respectfully requested that the NOTICE OF ABANDONMENT dated January 23, 2006 (copy attached) be WITHDRAWN because the Issue Fee was timely paid on December 12, 2005.

In support of this Petition, submitted herewith are:

1. Copy of signed Form PTOL-85, with an executed "Certificate of Mailing or Transmission", which was filed in the USPTO by facsimile on December 12, 2005;
2. Form PTO-2038 authorizing payment from a credit card account which was also filed in the USPTO by facsimile on December 12, 2005, with said Form PTOL-85;
3. Fee Address Indication Form (PTO/SB/47) which was filed in the USPTO by facsimile on December 12, 2005 with payment of the Issue Fee;

Application No. 10/650,058  
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4. Facsimile transmission report from the facsimile machine in the office of the undersigned indicating that the above-described three page facsimile transmission was received by the USPTO; and
5. Auto-Reply Facsimile Transmission Report received from the USPTO on December 12, 2005 evidencing that the USPTO received our payment of the Issue Fee (3 pages).

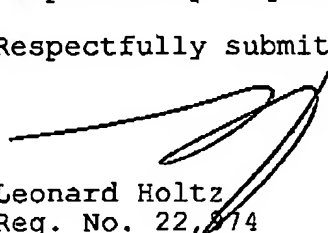
In view of the foregoing, it is respectfully submitted that timely payment of the Issue Fee on December 12, 2005 has been demonstrated.

Fee

No Petition Fee should be due in this matter. However, if is determined that a petition fee is required, authorization is given to charge any required petition fee to Account No. 06-1378.

Favorable action on this Petition to withdraw the Notice of Abandonment dated January 23, 2006, and to pass the present application to issue, is respectfully requested.

Respectfully submitted,

  
Leonard Holtz  
Reg. No. 22,874

January 30, 2006

FRISHAUF HOLTZ GOODMAN & CHICK, P.C.  
220 FIFTH AVENUE  
NEW YORK, N.Y. 10001-7708  
Tel. No. (212) 319-4900  
Fax No. (212) 319-5101  
LH:nps

JAN. 30. 2006 4:58PM

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NO. 6714 P. 6 p. 1

\* \* \* COMMUNICATION RESULT REPORT ( DEC. 12. 2006 10:44AM ) \* \* \*

FAX HEADER 1: Frishauf & Partners +12123195101  
FAX HEADER 2: +1-212-319-5101 customer 01933TRANSMITTED/STORED : DEC. 12. 2005 10:41AM  
FILE MODE OPTION

ADDRESS

RESULT

PAGE

4207 MEMORY TX

G3 :USPTO Issue Fees

OK

3/3

REASON FOR ERROR OR LINE FAIL  
1-1) HANG UP OR LINE FAIL  
1-2) NO ANSWER  
1-3) MAIL SIZE OVERE-2) BUSY  
E-3) NO FACSIMILE CONNECTION

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSU, EE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed with appropriate information. All further correspondence including the Patent, advance order and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for notification.

CURRENT CORRESPONDENCE ADDRESS (Name Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of Fee(s) transmittal. This certificate cannot be used for any other necessary papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

1993 7590 09/12/2003  
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC  
220 5TH AVE FL 16  
NEW YORK, NY 10001-7708Certificate of Mailing or Transmission  
I hereby certify that this Fee(s) Transmittal is being deposited with the U.S. State Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSU, EE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.B. Villani  
Deposited on  
12/12/05  
Via FAX - 12/12/05

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,058	08/27/2003	Suzumi Matsui	03505/LH	7364

TITLE OF INVENTION: OPTICAL DEFLECTION DEVICE AND OPTICAL SCANNING APPARATUS EQUIPPED THEREWITH

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	12/12/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHERRY, RUNCHE P	2872	959-216000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address from PTO/SB/123) attached.
- ☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed.

FRISHAUF, HOLTZ,  
GOODMAN & CHICK, P.C.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE  
Konica Corporation(B) RESIDENCE (CITY and STATE OR COUNTRY)  
Tokyo, JapanPlease check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.37.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.37(a)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant's registered attorney or agent, or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date 12/12/05

Typed or printed name Leonard Roffe

Registration No. 22,974

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form, and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1430, Alexandria, Virginia 22313-1430. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 14 Alexandria, Virginia 22313-1430.

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PAGE 6/9 \* RCVD AT 1/30/2006 4:52:06 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-6/42 \* DNIS:2738300 \* CSID:+1 212 319 5101 \* DURATION (mm-ss):03-04-MMSS

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## Auto-Reply Facsimile Transmission

**TO:**

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### Fax Information

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**Total Pages:**

12/12/2005 10:38:00 AM [Eastern Standard Time]

3 (including cover page)

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Received  
Cover  
Page[illegible]

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NO. 6714 P. 8<sup>7</sup>

## UNITED STATES PATENT AND TRADEMARK OFFICE

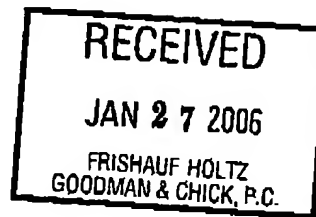
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,058	08/27/2003	Susumu Matsui	03505/LH	7364
1933	7590	01/23/2006	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708			CHERRY, EUNCHA P	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 01/23/2006

*Note of Abandonment/Petition  
to withdraw abandonment  
due: 3/23/06*

Please find below and/or attached an Office communication concerning this application or proceeding.



<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	10/650,058	Matsui	
	Examiner	Art Unit	
	CHERRY	2872	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

slk

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office  
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 0